

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

|                              |   |                           |
|------------------------------|---|---------------------------|
| In re Application of:        | ) |                           |
|                              | ) |                           |
| Sue FENG et al.              | ) | Group Art Unit: 1619      |
|                              | ) |                           |
| Application No.: 10/699,780  | ) | Examiner: VENKAT, J.      |
|                              | ) |                           |
| Date Filed: November 4, 2003 | ) | Confirmation No.: 5902    |
|                              | ) |                           |
| For: METHODS OF PROVIDING    | ) |                           |
| INTENSE COLOR TO COSMETIC    | ) | <b><u>VIA EFS WEB</u></b> |
| COMPOSITIONS USING AT        | ) |                           |
| LEAST ONE HETEROPOLYMER      | ) |                           |
| (AS AMENDED)                 | ) |                           |

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**REPLY TO OFFICE ACTION UNDER 37 C.F.R. § 1.111**

In reply to the Office Action dated August 18, 2009, the shortened statutory period ending November 18, 2009, Applicants respectfully request reconsideration of this application in view of the following remarks.

**Remarks** begin at page 3 of this paper.

**Attachments:**

- Exhibit 1 -** Expert Report of Robert Lochhead, Ph.D., submitted on December 15, 2006, in L'Oréal S.A. v. Estée Lauder Co., Civil Action No. 04-1660 (HAA) (D.N.J. filed Apr. 7, 2004);
- Exhibit 2 -** Letter from the Cosmetic Toiletry and Fragrance Association ("CTFA") dated December 14, 1999;
- Exhibit 3 -** Information Relevant to the Use and Availability of UNICLEAR 80/100;
- Exhibit 4 -** International Cosmetic Ingredient Dictionary and Handbook ("CTFA") 9<sup>th</sup> ed., p. 1654 (2002);
- Exhibit 5 -** Copy of Assignment filed with the USPTO on November 18, 2009, which assigns U.S. Application No. 10/203,374, which issued as U.S. Patent No. 7,023,552, to L'Oréal S.A.; and
- Exhibit 6 -** Six (6) Sets of Claims from Co-Pending Applications